

House Bill 1492

By: Representative Willard of the 49th

A BILL TO BE ENTITLED
AN ACT

To amend Part 8 of Article 1 of Chapter 11 of Title 15 of the Official Code of Georgia Annotated, relating to access to records and hearings, so as to provide for sharing of confidential information; to define a term; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Part 8 of Article 1 of Chapter 11 of Title 15 of the Official Code of Georgia Annotated, relating to access to records and hearings, is amended by adding a new Code section to read as follows:

"15-11-84.

(a) As used in this Code section, the term 'governmental entity' shall mean the court, superior court, the Department of Juvenile Justice, the Division of Mental Health, Developmental Disabilities, and Addictive Diseases within the Department of Human Resources, the Division of Family and Children Services within the Department of Human Resources, county departments of family and children services, law enforcement unit, as such term is defined in Code Section 35-8-2, or public school, as such term is defined in Code Section 16-11-35.

(b) Governmental entities, state, county, consolidate governments, or municipal government departments, boards, or agencies shall exchange with each other all information which is not held as confidential pursuant to federal law, that relates to a child which may aid a governmental entity in the assessment, treatment, intervention, or rehabilitation of a child, notwithstanding Code Section 15-1-15, 15-11-9.1, subsection (d) of Code Section 15-11-10, Code Section 15-11-66.1, 15-11-75, 15-11-81, 15-11-82, 15-11-174, 20-2-751.2, 20-14-40, 24-9-40.1, 24-9-41, 24-9-42, 26-4-5, 26-4-80, 26-5-17, 31-5-5, 31-33-6, 37-1-53, 37-2-9.1, 42-5-36, 42-8-40, 42-8-106, 49-5-40, 49-5-41, 49-5-41.1, 49-5-44, 49-5-45, 49-5-183, 49-5-184, 49-5-185, or 49-5-186, in order to serve

1 the best interest of the child. Such information shall not be utilized to assist in the
2 prosecution of the child in juvenile court or superior court or utilized to the detriment of
3 the child.

4 (c) Information released pursuant to this Code section shall not change or rescind the
5 confidential nature of such information and such information shall not be subject to public
6 disclosure or inspection unless otherwise provided by law."

7 **SECTION 2.**

8 All laws and parts of laws in conflict with this Act are repealed.